

PROFESSIONAL LICENSURE DIVISION [645]

Notice of Intended Action

Pursuant to the authority of Iowa Code sections 154B.13 and 154B.14, the Board of Psychology hereby gives Notice of Intended Action to add Chapter 244, “Prescribing Psychologists”, to the Iowa Administrative Code.

This proposed chapter defines a conditional prescription certificate, sets forth the education and training required to apply for a conditional prescription certificate, sets forth the requirements for supervised practice under a conditional prescription certificate, defines a prescription certificate, sets forth the requirements to apply for a prescription certificate, sets forth the requirements for collaborative practice, sets forth the limitations on prescribing, sets forth the requirements for continuing education, sets forth the grounds for discipline, establishes a requirement to maintain a list of certificate holders, establishes a requirement to share complaints with the board of medicine, and sets forth the procedure for waiving or amending the joint rules. Several of the proposed rules are joint rules, which are being promulgated jointly by the Board of Psychology and the Board of Medicine.

Any interested person may make written comments on the proposed amendments no later than August 21, 2018, addressed to Sharon Dozier, Professional Licensure Division. Department of Public Health, Lucas State Office Building, Des Moines, Iowa 50319-0075; E-mail Sharon.Dozier@idph.iowa.gov.

A public hearing will be held on August 21, 2018 from 10 am until Noon in the Main Conference Room at the Iowa Board of Medicine, 400 SW 8th Street, Ste C, Des Moines IA 50309, at which time persons may present their views either orally or in writing. At the hearing, persons will be asked to give their names and addresses for the record and to confine their remarks to the subject of the proposed new chapter.

These amendments are intended to implement Iowa Code chapters 154B.1 and 154B.9 through 154B.14.

The following **NEW CHAPTER** is proposed:

Chapter 244—“Prescribing Psychologists”

244.1 Definitions—Joint Rule.

“APA” means the American Psychological Association.

“Applicant” means a psychologist applying for a conditional prescription certificate.

“Board” means the Iowa board of psychology.

“Board of medicine” means the Iowa board of medicine.

“Collaborating Physician” means a person licensed to practice medicine and surgery or osteopathic medicine in Iowa who regularly prescribes psychotropic medications for the treatment of mental disorders as part of the physician’s normal course of practice who serves as a resource for a prescribing psychologist pursuant to a collaborative practice agreement. A collaborating physician shall be board-certified in family medicine, internal medicine, neurology, pediatrics, or psychiatry.

“Conditional prescription certificate” means a certificate issued by the board to a psychologist that permits the psychologist to prescribe psychotropic medication under the supervision of a supervising physician.

“Conditional prescribing psychologist” means a person licensed to practice psychology in Iowa who holds an active conditional prescription certificate. This term does not include prescribing psychologists.

“CSA registration” means a Controlled Substance Act registration issued by the Iowa board of pharmacy authorizing the psychologist to possess and prescribe controlled substances.

“DEA registration” means a mid-level practitioner registration with the Drug Enforcement Administration authorizing the psychologist to possess and prescribe controlled substances.

“Joint rule” means a rule adopted by agreement of the board of psychology and the board of medicine through the joint rulemaking process.

“Mental disorder” means a disorder which is defined by the most recent version of the diagnostic and statistical manual of mental disorders published by the American Psychiatric Association or contained within the mental and behavioural disorders chapter of the most recent version of the international classification of diseases.

“Prescribing psychologist” means a person licensed to practice psychology in Iowa who holds an active prescription certificate. This term does not include conditional prescribing psychologists.

“Prescription certificate” means a certificate issued by the board to a psychologist that permits the psychologist to prescribe psychotropic medication.

“Primary care physician” means a person licensed to practice medicine and surgery or osteopathic medicine in Iowa who is responsible for the ongoing medical care of a patient.

“Psychologist” means a person licensed to practice psychology in Iowa.

“Psychotropic medication” means a medication that shall not be dispensed or administered without a prescription and that has been explicitly approved by the federal food and drug administration for the treatment of a mental disorder, as defined by the most recent version of the diagnostic and statistical manual of mental disorders published by the American psychiatric association or the most recent version of the international classification of diseases. *“Psychotropic medication”* does not include narcotics.

“Supervising Physician” means a person licensed to practice medicine and surgery or osteopathic medicine in Iowa who regularly prescribes psychotropic medications for the treatment of mental disorders as part of the physician’s normal course of practice who supervises a conditional prescribing psychologist. A supervising physician shall be board-certified in family medicine, internal medicine, neurology, pediatrics, or psychiatry.

“Training Director” means an employee of the psychopharmacology training program who is primarily responsible for directing the training program.

“Training Physician” means a person licensed to practice medicine and surgery or osteopathic medicine in Iowa who regularly prescribes psychotropic medications for the treatment of mental disorders as part of the physician’s normal course of practice who provides training to a psychologist as part of the clinical experience and practicum described in 645—244.3. A training physician shall be board-certified in family medicine, internal medicine, neurology, pediatrics, or psychiatry. A training physician shall be approved by the training program.

244.2 Conditional Prescription Certificate. A conditional prescription certificate shall authorize a psychologist to prescribe psychotropic medications to patients with mental disorders under supervision in accordance with the requirements of this chapter.

244.2(1) Application. The board shall issue a conditional prescription certificate to an applicant who satisfies the following requirements, unless a basis for denial exists in accordance with 645—244.9:

a. Holds an active license to practice psychology in Iowa and an active health service provider certification issued by the board. Both the license and the health service provider certification must be in good standing.

b. Meets the educational requirements set forth in 645—244.3. Official academic transcripts shall be sent directly from the school to the board.

c. Submits a supervision plan in accordance with 645—244.4(1).

d. Possesses malpractice insurance that covers the prescribing of psychotropic medications.

e. Submits a completed application and a nonrefundable application fee of \$270.

244.2(2) Term. A conditional prescription certificate shall be valid for a period of 4 years from the date of issuance. The board shall not renew a conditional prescription certificate unless a conditional prescribing psychologist cannot complete the requirements of supervised practice within 4 years due to extenuating circumstances. A conditional prescribing psychologist may request an extension of a conditional prescription certificate when extenuating circumstances exist to provide additional time for the requirements of supervised practice to be met.

244.3 Educational Requirements for Conditional Prescription Certificate—Joint

Rule. An applicant for a conditional prescription certificate shall have completed a program of study designated by the APA as a program for the psychopharmacology training of post-doctoral psychologists. The program must have included didactic instruction, a clinical experience, and a practicum satisfying the requirements of this rule. A minimum of 40 hours of basic training on clinical assessment skills shall be included as part of the program's didactic instruction.

244.3(1) Degree. An applicant shall possess a post-doctoral master of science degree in clinical psychopharmacology from a program designated by the APA as a program for the psychopharmacology training of post-doctoral psychologists. The degree program must be a minimum of 30 credit hours not including the practicum and shall include coursework in basic science, neuroscience, clinical medicine, pathological basis of disease, clinical pharmacology, psychopharmacology, and professional, ethical and legal issues. A minimum of one-third of the coursework must be completed in a live interactive format. The date the degree is conferred must be within the 5 year period immediately preceding the application for a conditional prescription certificate. A program must be designated by the APA at the time the degree is conferred.

244.3(2) Clinical Experience. An applicant shall have completed a clinical experience in accordance with the requirements of this subrule. During the clinical experience, a psychologist shall learn clinical assessment techniques and pathophysiology through direct observation and hands-on training with a training physician. During the clinical experience, a psychologist shall become competent in health history interviews, physical exams, and neurological exams with a medically diverse patient population. The clinical experience

must be associated with the psychopharmacology training program from which the psychologist obtained the post-doctoral master of science degree in clinical psychopharmacology.

- a. Scope.* At the beginning of the clinical experience, the psychologist shall directly observe the training physician performing clinical assessments of patients. After the training physician determines the psychologist has gained sufficient knowledge, the clinical experience shall transition to the psychologist performing clinical assessments of patients under the direct observation of the training physician. After the training physician determines the psychologist has gained sufficient knowledge and experience, the psychologist may perform clinical assessments of patients without being directly observed by the training physician, provided that the training physician is on-site at all times when the psychologist is with patients and is reviewing all medical records. A psychologist and a training physician shall have ongoing discussions regarding the psychologist's clinical assessment skills and progress in the clinical experience.
- b. Minimum experience.* The clinical experience shall consist of a minimum of 600 patient encounters that shall be completed by the end of the practicum.
- c. Conflict of interest.* A training physician shall not be an employee of the psychologist or otherwise have a conflict of interest that could affect the training physician's ability to impartially evaluate the psychologist's performance. A psychologist may utilize more than one training physician.

d. Milestones. To satisfactorily complete the clinical experience, a psychologist shall demonstrate competency in each of the following:

1. Perform a health history interview to obtain pertinent information regarding a patient's chief complaint, history of the present illness, past medical and surgical history, family history, allergies, medications, and psychosocial history. The psychologist shall perform a review of systems to elicit a health history and shall appropriately document the health history.
2. Perform a physical exam in a logical sequence, ensuring appropriate positioning of the patient, proper patient draping, and proper application of the principles of asepsis throughout the exam. The psychologist shall verbalize and assess the components of a general survey and be able to accurately assess all of the following: vital signs, including pulse, respiration, and blood pressure; skin, hair and nails; head, face and neck; eyes; ears, nose, mouth and throat; thorax, lungs and axillae; heart; peripheral vascular system; abdomen; and musculoskeletal system. The psychologist shall be proficient in utilizing any equipment needed to conduct a physical exam.
3. Complete a neurological exam demonstrating knowledge of the history related to the neurological system and the ability to assess the following: mental status, cranial nerves, motor system, sensory system, and reflexes. The psychologist shall differentiate normal

laboratory values from abnormal laboratory values and to correlate abnormal laboratory values with impaired physiological systems.

The psychologist shall identify adverse drug reactions and identify laboratory data and physical signs indicating an adverse drug reaction.

e. Informed consent. At the initial contact, the psychologist shall inform the patient, or the patient's legal guardian when appropriate, of the psychologist's training role in the clinical experience. The psychologist shall provide sufficient information regarding the expectations and requirements of the clinical experience to obtain informed consent and appropriate releases. Upon request, the psychologist shall provide additional information regarding the psychologist's education, training, or experience.

f. Training documentation. The psychologist and the training director shall maintain documentation accounting for all clinical experience patient encounters including the dates, times, and locations of all clinical experience patient encounters, and documentation of completion of the milestones defined in these rules. The applicant shall provide additional documentation to the board upon request.

g. Certification. The training physician/s and the training director shall certify on forms provided by the board that the applicant has successfully completed the minimum number of clinical experience patient encounters required and demonstrated competence in clinical assessment techniques and pathophysiology through completion of the milestones defined in these rules.

244.3(3) Practicum. An applicant shall have completed a practicum in accordance with the requirements of this subrule. During the practicum, a psychologist shall develop competencies in evaluating and treating patients with mental disorders through pharmacological intervention via observation and active participation. The practicum must be associated with the psychopharmacology training program from which the applicant obtained the post-doctoral master of science degree in clinical psychopharmacology and must be completed in a period of time not less than 6 months and not more than 3 years.

a. Scope. At the beginning of the practicum, the psychologist shall directly observe the training physician evaluating and treating patients with mental disorders. After the training physician determines the psychologist has gained sufficient knowledge, the practicum shall transition to the psychologist evaluating and treating patients under the direct observation of the training physician. After the training physician determines the psychologist has gained sufficient knowledge and experience, the psychologist may evaluate and treat patients without being directly observed by the training physician, provided that the training physician is on-site at all times when the psychologist is with patients, has personal contact with the patient at each visit, and is reviewing all pertinent medical records. During the practicum, the training physician shall make all final treatment decisions, with consultation from the psychologist prior to making a final determination regarding the psychopharmacological treatment of a patient.

b. Minimum number of hours. A practicum shall consist of a minimum of 400 hours. Only hours spent face-to-face evaluating and treating patients with mental disorders and hours spent discussing treatment plans with a training physician may count as practicum hours. Time spent by the psychologist providing services that are within the

scope of practice of a licensed psychologist, such as psychological examinations and psychotherapy, shall not be counted as practicum hours.

c. Minimum number of patients. A psychologist shall see a minimum of 100 individual patients throughout the practicum. A patient can be counted towards this requirement if the patient has a diagnosed mental disorder and pharmacological intervention is considered as a treatment option, even if a decision is made not to prescribe a psychotropic medication to the patient. Over the course of the practicum, the psychologist shall observe, evaluate, and treat patients encompassing a range of ages and a variety of psychiatric diagnoses.

d. Settings. At least 100 hours of the 400 hours must be completed in a psychiatric setting. At least 100 hours of the 400 hours must be completed in a primary care or community mental health setting.

e. Conflict of interest. A training physician shall not be an employee of the psychologist or otherwise have a conflict of interest that could affect the training physician's ability to impartially evaluate the psychologist's performance. A psychologist may utilize more than one training physician.

f. Milestones. To successfully complete the practicum, a psychologist shall demonstrate competency in each of the following:

1. Physical exam and mental status exam. The psychologist shall perform comprehensive and focused physical examinations and mental status evaluations, demonstrate proper use of instruments, and recognize variation associated with developmental stages and diversity.

2. Review of systems. The psychologist shall integrate information learned from patient reports, signs, symptoms, and a review of each major body system, recognizing normal developmental variations.
3. Medical history interview. The psychologist shall systematically conduct a patient clinical interview, producing a patient's medical, surgical, psychiatric, and medication history, as well as a family medical and psychiatric history, and be able to communicate the findings in written and verbal form.
4. Assessment indications and interpretation. The psychologist shall order and interpret appropriate tests (e.g., psychometric, laboratory, and radiological) for the purpose of making a differential diagnosis and monitoring therapeutic and adverse effects of treatment.
5. Differential diagnosis. The psychologist shall determine primary and alternate diagnoses using established diagnostic criteria.
6. Integrated treatment planning. The psychologist shall identify and select, using all available data, the most appropriate treatment alternatives, including medication, psychosocial, and combined treatments, and sequence treatment within the larger biopsychosocial context.
7. Consultation and collaboration. The psychologist shall understand the parameters of the role of a prescribing psychologist and work with other professionals, including a patient's primary care

physician, in an advisory or collaborative manner to effectively treat a patient.

8. Treatment management. The psychologist shall apply, monitor, and modify as needed, the treatment of a patient and learn to write valid and complete prescriptions.
9. Demonstrate appropriate medical documentation for the patient-psychologist interaction to include subjective and objective assessment, mental status and/or physical exam findings, formulation, diagnostic impression and comprehensive treatment plan.

g. Informed consent. At the initial contact, the psychologist shall inform the patient, or the patient's legal guardian when appropriate, of the psychologist's training role in the practicum. The psychologist shall provide sufficient information regarding the expectations and requirements of the practicum to obtain informed consent and appropriate releases. Upon request, the psychologist shall provide additional information regarding the psychologist's education, training, or experience.

h. Training documentation. The psychologist and the training director shall maintain documentation regarding all patients observed, evaluated, and treated by the psychologist as part of the practicum. The documentation shall clearly identify the training physician for each patient. The psychologist and the training director shall maintain documentation of all practicum hours including the dates, times, and locations of all practicum hours, and documentation of completion of the milestones defined in these rules. The applicant shall provide additional documentation to the board upon request.

i. Certification. The training physician/s and the training director shall certify on forms provided by the board that the psychologist has successfully completed the minimum number of practicum hours and patients, and demonstrated competence in the evaluation and treatment of patients with mental disorders through pharmacological intervention through completion of the milestones defined in these rules.

244.3(4) Exam. A psychologist shall pass the Psychopharmacology Examination for Psychologists (PEP) administered by the APA Practice Organization's College of Professional Psychology or by the Association of State and Provincial Psychology Boards. The passing score utilized by the board shall be the passing score recommended by the test administrator. The exam score shall be sent directly from the testing service to the board.

244.4 Supervised Practice as a Conditional Prescribing Psychologist—Joint Rule. A conditional prescribing psychologist shall complete a minimum of 2 years of supervised practice in prescribing psychotropic medications to patients with mental disorders in accordance with this rule to be eligible to apply for a prescription certificate.

244.4(1) Supervision Plan. Prior to issuing a conditional prescription certificate, the board shall review and approve the proposed supervision plan.

a. The proposed supervision plan must include the following:

- 1) The name, license number, address, telephone number, and e-mail address of the supervisee.
- 2) The name, license number, date of licensure, area of specialization, address, telephone number, and e-mail address of each supervising physician.

- 3) A designation of the primary supervising physician.
- 4) The beginning date of the supervision plan and estimated date of completion.
- 5) A description of the locations and settings where supervision will occur and with whom.
- 6) A description of the scope of practice of the conditional prescribing psychologist, including any limitations on the types of psychotropic medications that may be prescribed and the patient populations to which a prescription may be issued, and the expectations and responsibilities of the supervising physician.
- 7) A description of how the supervision plan may be terminated and the process for notifying affected patients.
- 8) Signatures of the psychologist and all supervising physicians.

b. A conditional prescribing psychologist shall inform the board of any amendments to his or her supervision plan, including the addition of any supervising physicians, within 30 days of the change. Amendments to a supervisory plan are subject to board approval.

c. The board shall transmit all approved supervisory plans and approved amendments to the board of medicine.

244.4(2) Responsibilities of a Supervising Physician. A supervising physician shall provide supervision in accordance with 653—19.10.

244.4(3) Responsibilities of a Conditional Prescribing Psychologist. At the initial contact, a conditional prescribing psychologist shall inform a patient, or a patient's legal

guardian when appropriate, that he or she is practicing under the supervision of a physician for purposes of prescribing psychotropic medication and shall provide the name of the supervising physician. A conditional prescribing psychologist shall provide sufficient information regarding the supervision requirements to obtain informed consent and appropriate releases. Upon request, a conditional prescribing psychologist shall provide additional information regarding his or her education, training, or experience with respect to prescribing psychotropic medications.

244.4(4) Specialization. A conditional prescribing psychologist shall complete the following training during the supervised practice period to be eligible to prescribe psychotropic medications to the respective population as a prescribing psychologist:

a. Children. To prescribe to patients who are less than 17 years of age, a conditional prescribing psychologist shall complete at least 1 year of the required 2 years of supervised practice in either (1) a pediatric practice, (2) a child and adolescent practice, or (3) a general practice provided the conditional prescribing psychologist treats a minimum of 50 patients who are less than 17 years of age.

b. Elderly patients. To prescribe to patients who are over 65 years of age, a conditional prescribing psychologist shall complete at least 1 year of the required 2 years of supervised practice in either (1) a geriatric practice, or (2) a general practice with patients across the lifespan including patients who are over 65 years of age.

c. Serious Medical Conditions. To prescribe to patients with serious medical conditions including but not limited to heart disease, cancer, stroke, seizures, comorbid psychological conditions, and patients with developmental disabilities and intellectual

disabilities, a conditional prescribing psychologist shall complete at least one year prescribing psychotropic medications to patients with serious medical conditions.

244.4(5) Completion of Supervised Practice. A conditional prescribing psychologist shall see a minimum of 300 patients over a minimum of 2 years to complete the supervised practice period, provided each of the 300 patients has a diagnosed mental disorder and pharmacological intervention is considered as a treatment option, even if a decision is made not to prescribe a psychotropic medication to the patient. A conditional prescribing psychologist shall treat a minimum of 100 patients with psychotropic medication throughout the supervised practice period.

a. At the conclusion of the supervised practice period, a primary supervising physician shall certify the following:

- 1) Supervision was provided in accordance with 653—19.10.
- 2) The conditional prescribing psychologist has successfully completed 2 years of supervised practice, considered at least 300 patients for psychopharmacological intervention, and treated at least 100 patients with psychotropic medications.
- 3) A conditional prescribing psychologist intending to specialize in the psychological care of children or elderly persons, or persons with serious medical conditions, has completed the requirements of subrule 244.4(4).
- 4) The conditional prescribing psychologist has successfully completed the supervised practice period and demonstrated competence in psychopharmacology by demonstrating competency in the milestones

listed in subrule 244.3(3)(f) sufficient to obtain a prescription certificate.

b. If a conditional prescribing psychologist is unable to successfully complete the supervised practice period prior to the expiration of the conditional prescription certificate, the conditional prescribing psychologist may request an extension of the conditional prescription certificate provided that the conditional prescribing psychologist can demonstrate that he or she is likely to successfully complete the supervised practice within the extended time requested. Any requests for extension must be submitted to and approved by both the Board and the Board of medicine.

244.5 Prescription Certificate. A prescription certificate shall authorize a psychologist to prescribe psychotropic medications to patients with mental disorders in accordance with the requirements of this chapter.

244.5(1) Application. The board shall issue a prescription certificate to a conditional prescribing psychologist who satisfies the following requirements, unless a basis for denial exists in accordance with 645—244.9:

a. Holds an active license to practice psychology in Iowa, an active health service provider certification issued by the board, and an active conditional prescription certificate. The license, certification, and certificate must all be in good standing.

b. Submits documentation regarding successful completion of the supervised practice period.

c. Submits a collaborative practice agreement in accordance with 645—244.8.

d. Possesses malpractice insurance that covers the prescribing of psychotropic medications.

e. Submits a completed application and a nonrefundable application fee of \$60.

244.5(2) Initial term and renewal. An initial prescription certificate shall be valid through the current expiration date of the applicant's psychologist license. Thereafter, a prescription certificate shall be renewed biennially concurrent with the renewal of the psychologist license. A prescribing psychologist may renew a prescription certificate by submitting a completed renewal application and a nonrefundable application fee of \$60. A prescribing psychologist is responsible for renewing the prescription certificate prior to its expiration.

244.5(3) Continuing education required. A prescribing psychologist shall complete a minimum of 20 hours of continuing education in psychopharmacology each year. A total of 40 hours of continuing education in psychopharmacology is required to renew a prescription certificate. These hours are separate from, and in addition to, the continuing education hours needed to renew a psychologist license pursuant to Chapter 241. If a psychologist specializes in treating children, a minimum of 10 hours of continuing education in psychopharmacology each year, for a total of 20 hours of continuing education per renewal period, must be directly related to prescribing psychotropic medication to children.

244.5(4) Late renewal. A prescription certificate shall become late when it has not been renewed prior to the expiration date. To renew a late prescription certificate, a prescribing psychologist shall complete the renewal requirements and submit a late fee of \$60 within 30 days following the prescription certificate expiration date. A prescribing

psychologist who fails to renew a prescription certificate within 30 days following the prescription certificate expiration date shall have an inactive prescription certificate. A psychologist whose prescription certificate is inactive continues to hold the privilege of certification in Iowa, but may not prescribe psychotropic medications until the prescription certificate is reactivated.

244.5(5) Reactivation. To apply for reactivation of an inactive prescription certificate, a psychologist shall submit a completed reactivation application, a nonrefundable fee of \$60, and documentation of a minimum of 40 hours of continuing education in psychopharmacology taken within the preceding 2 years. If a prescription certificate has been inactive for more than 5 years, a psychologist shall demonstrate competence in psychopharmacology through one of the following means:

- a.* Practiced as a prescribing psychologist in another jurisdiction in the preceding 2 years.
- b.* Completed a period of supervised practice for a minimum of 12 months. The board may issue a conditional prescription certificate to complete a supervised practice period for purposes of prescription certificate reactivation.

244.6 Prescribing—Joint Rule. This rule applies to both conditional prescribing psychologists and prescribing psychologists. A psychologist shall comply with all prescription requirements described in 657—8.19(1). The following limits apply to a psychologist's prescriptive authority:

- a.* A psychologist shall only prescribe psychotropic medications for the treatment of mental disorders.

b. A psychologist shall only prescribe psychotropic medications in situations where the psychologist has adequate education and training to safely prescribe.

c. A prescription shall identify the prescriber as a “psychologist certified to prescribe” and shall include the Iowa license number of the psychologist.

d. A prescription issued by a conditional prescribing psychologist shall contain the name of the supervising physician overseeing the care of the patient.

e. A psychologist shall not delegate prescriptive authority to any other person.

f. A psychologist is prohibited from prescribing narcotics as defined in Iowa Code section 124.101.

g. A psychologist shall maintain an active DEA registration and an active CSA registration in order to dispense, prescribe, or administer controlled substances.

h. A psychologist shall not self-prescribe nor prescribe to any person who is a member of the psychologist’s immediate family or household.

i. Prior to prescribing a psychotropic medication that is classified as a controlled substance, a psychologist shall check the patient’s prescriptive profile using the Iowa Prescription Monitoring Program.

j. To prescribe to a patient who is pregnant or lactating, a psychologist shall consult with the patient’s OB/GYN, or the physician managing the patient’s pregnancy or postpartum care, regarding all prescribing decisions. A psychologist shall not prescribe a psychotropic medication to a patient if the patient’s OB/GYN or the physician managing care objects on the basis of a contraindication.

k. To prescribe to a patient who has a serious medical condition, including but not limited to, heart disease, kidney disease, liver disease, cancer, stroke, seizures, comorbid

psychological conditions, or to a patient who has a developmental or intellectual disability, a psychologist shall consult with the physician who is managing the comorbid condition for that patient regarding all prescribing decisions. A psychologist shall not prescribe a psychotropic medication if the patient's physician objects on the basis of a contraindication.

244.7 Consultation with Primary Care Physicians—Joint Rule. The rule applies to both conditional prescribing psychologists and prescribing psychologists. A psychologist shall maintain a cooperative relationship with the primary care physician who oversees a patient's general medical care to ensure that necessary medical examinations are conducted, the psychotropic medication is appropriate for the patient's medical conditions, and significant changes in the patient's medical or psychological condition are discussed.

244.7(1). Requirement for a primary care physician. A patient must have a designated primary care physician in order for a psychologist to have the ability to prescribe psychotropic medications to the patient. If a patient does not have a designated primary care physician, a psychologist shall refer the patient to a primary care physician prior to prescribing psychotropic medications to the patient. A psychologist shall not prescribe psychotropic medications to a patient until the patient has established care with a primary care physician.

244.7(2). Requirement for a release. A psychologist shall obtain a release of information from the patient, or the patient's legal guardian when appropriate, authorizing the psychologist to share information with the patient's primary care physician. A

psychologist shall not prescribe psychotropic medications to a patient who refuses to sign a release.

244.7(3). Cooperation and consultation with primary care physicians. A psychologist shall contact each patient's primary care physician on at least a quarterly basis and shall contact the primary care physician to relay information regarding the care of a patient whenever the following occur:

a. A psychologist is considering adding a new psychotropic medication to a patient's medication regimen. A psychologist shall not prescribe a new psychotropic medication if the patient's primary care physician objects on the basis of a contraindication.

b. A psychologist is discontinuing or changing the dosage of a psychotropic medication.

c. A patient experiences adverse effects from any medication prescribed by the psychologist that may be related to the patient's medical condition.

d. A psychologist receives the results of laboratory tests related to the medical care of a patient.

e. A psychologist notes a change in a patient's mental condition that may affect the patient's medical treatment.

244.8 Collaborative Practice—Joint Rule. A prescribing psychologist shall have one or more collaborating physicians at all times, as evidenced by a current collaborative practice agreement. Prior to executing a collaborative practice agreement, a prescribing psychologist and a collaborating physician shall review and discuss each other's relevant education, training, experience, and competencies to determine whether a collaborative

practice is appropriate and to facilitate drafting an suitable collaborative practice agreement. A collaborative relationship between a prescribing psychologist and a collaborating physician shall ensure patient safety and optimal clinical outcomes. Collaboration may be done in-person or via electronic communication in accordance with these rules. A physician shall not serve as a collaborating physician for more than two prescribing psychologists at one time. A prescribing psychologist shall not prescribe without a current written collaborative practice agreement with a collaborating physician in place. All collaborative relationships shall be reviewed and evaluated on an annual basis to ensure that the prescribing psychologist is competent to safely prescribe psychotropic medications to patients and that the collaborating physician is providing appropriate feedback to the prescribing psychologist. A collaborative practice agreement shall establish the parameters of the collaborative practice which are mutually agreed upon by the prescribing psychologist and the collaborating physician and shall be reviewed on an annual basis. A collaborative practice agreement shall include the following:

a. Prescribing psychologist information. The name, license number, DEA registration number, CSA registration number, address, telephone number, e-mail address, and practice locations of the prescribing psychologist.

b. Collaborating physician information. The name, license number, DEA registration number, CSA registration number, address, telephone number, e-mail address, and practice locations of the collaborating physician.

c. Time period. The time period covered by the agreement.

d. Locations and settings. The locations and settings where collaborative practice will occur.

e. Collaboration. A provision indicating that the collaborating physician and prescribing psychologist shall ensure that the collaborating physician is available for timely collaboration with a prescribing psychologist, either in-person or via electronic communications, in accordance with these rules.

f. Scope of practice. The scope of practice agreed upon by the collaborating physician and the prescribing psychologist, as it relates to the prescribing psychologist's prescribing of psychotropic medications, including provisions to ensure the prescribing psychologist's practice complies with all provisions of rules 244.6 and 244.7.

g. Clinical protocols, practice guidelines, and care plans. Clinical protocols, practice guidelines, and care plans relevant to the scope of practice authorized.

h. Methods of communication. A description of how a prescribing physician and a collaborating physician may contact each other for consultation.

i. Limitations on psychotropic medications. A description of any limitations on the range of psychotropic medications the prescribing psychologist may prescribe. A provision indicating that the collaborating physician and prescribing psychologist shall ensure that the prescribing psychologist only prescribes psychotropic medications that are consistent with the prescribing psychologist's education, training, experience, and competence.

j. Limitations on patient populations. A description of any limitations on the types of populations that the prescribing psychologist may treat with psychotropic medications. A provision indicating that the collaborating physician and prescribing psychologist shall ensure that the prescribing psychologist only provides

psychopharmacology services to patient populations that are within the prescribing psychologist's education, training, experience, and competence.

k. Chart review. A provision indicating that the collaborating physician and prescribing psychologist shall ensure that the collaborative physician personally reviews and documents review of at least ten percent of the prescribing psychologist's patient charts on a quarterly basis in each of the following categories: (1) juvenile patients, (2) pregnant or lactating patients, (3) elderly patients, (4) patients with serious medical conditions, and (5) all other patients.

l. Annual review. A provision requiring an annual review and evaluation of the collaborative relationship and the collaborative practice agreement.

m. Termination. A provision describing how the agreement can be terminated and the process for notifying affected patients if there will be an interruption in services.

n. Signatures. Signatures of the prescribing psychologist and all collaborating physicians.

244.9 Grounds for discipline. The board may deny, suspend, revoke, or impose other discipline as outlined in 645—242.3 against a psychologist that holds a conditional prescription certificate or prescription certificate for any of the following:

- a.* Violating any of the grounds for discipline set forth in 645—242.2.
- b.* The inability to safely prescribe psychotropic medications.
- c.* Prescribing medications in violation of 645—244.6.
- d.* Repeatedly failing to cooperate and collaborate with primary care physicians.

e. Prescribing psychotropic medications without a current written collaborative practice agreement.

f. Failing to maintain malpractice insurance covering the prescribing of psychotropic medications.

g. Practicing outside the scope of a collaborative practice agreement.

h. Prescribing medications while the conditional prescription certificate or prescription certificate is inactive, or prescribing controlled substances while the DEA registration or CSA registration is not current.

i. Having a conditional prescription certificate or prescription certificate disciplined by the licensing authority of another state.

j. Having a license or health service provider certification disciplined by this board, or the licensing authority of another state.

244.10 List of psychologists. The board shall maintain a list of all current conditional prescribing psychologists and prescribing psychologists. The list shall be transmitted annually to the board of medicine.

244.10(1). Information. The list shall include the name, license number, license expiration date, expiration date of the conditional prescription certificate or prescription certificate, and practice locations.

244.10(2). Additions and deletions. When a psychologist is added or removed from the list, the board shall notify the board of medicine of the addition or deletion.

244.11 Complaints—Joint Rule. Any complaint received by the board alleging a violation of this chapter shall be forwarded to the board of medicine. Any complaint received by the board of medicine alleging a violation of this chapter shall be forwarded to the board.

244.12 Joint Waiver or Variance—Joint Rule. Any rule identified as a joint rule may only be waived upon approval by both the board and the board of medicine.

244.13 Amendment—Joint Rule. Any rule identified as a joint rule may only be amended by agreement of the board and board of medicine through a joint rulemaking process.